

AMENDED IN ASSEMBLY MARCH 16, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2364

Introduced by Assembly Member ~~Holden~~ Members *Holden and Gipson*

February 18, 2016

An act to add Section 68130.6 to the Education Code, relating to public postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

AB 2364, as amended, Holden. Public postsecondary education: exemption from nonresident tuition.

Existing law exempts a student, other than a nonimmigrant alien, as defined, from paying nonresident tuition at the California State University and the California Community Colleges if the student meets certain requirements. Existing law authorizes the governing board of a school district to allow pupils whom the district has determined would benefit from advanced scholastic or vocational work to attend community college as special part-time or full-time students, subject to parental permission. Existing law authorizes the governing board of a community college district to enter into a College and Career Access Pathways partnership with the governing board of a school district with the goal of developing seamless pathways from high school to community college for career technical education or preparation for transfer, improving high school graduation rates, or helping high school pupils achieve college and career readiness.

This bill additionally would exempt a student, other than a nonimmigrant alien, as defined, from paying nonresident tuition at the California State University and the California Community Colleges if

that student is currently a California high school ~~student~~ *pupil* enrolled in a concurrent enrollment or dual enrollment program. *The bill would provide that a student exempt from nonresident tuition under these provisions may be reported by a community college district as a full-time equivalent student for apportionment purposes in accordance with existing law.* Because the bill would require community college districts to determine whether students qualify for exemption from nonresident tuition, it would constitute a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 68130.6 is added to the Education Code,
- 2 to read:
- 3 68130.6. ~~A~~-(a) *Notwithstanding any other law, a student,*
- 4 *other than a nonimmigrant alien within the meaning of paragraph*
- 5 *(15) of subsection (a) of Section 1101 of Title 8 of the United*
- 6 *States Code, who is currently a California high school ~~student~~*
- 7 *pupil enrolled in a concurrent enrollment or dual enrollment*
- 8 *program shall be exempt from paying nonresident tuition at the*
- 9 *California State University and the California Community Colleges.*
- 10 *(b) A student exempt from nonresident tuition under this section*
- 11 *may be reported by a community college district as a full-time*
- 12 *equivalent student for apportionment purposes in accordance with*
- 13 *existing law.*
- 14 SEC. 2. If the Commission on State Mandates determines that
- 15 this act contains costs mandated by the state, reimbursement to
- 16 local agencies and school districts for those costs shall be made
- 17 pursuant to Part 7 (commencing with Section 17500) of Division
- 18 4 of Title 2 of the Government Code.

O